

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of the San Luis Obispo County  
Public Works Department for an order  
authorizing construction of an at-grade  
pedestrian crossing in San Miguel, California  
crossing Union Pacific Railroad in the vicinity of  
16<sup>th</sup> Street, County of San Luis Obispo.

Application 04-07-001  
(Filed July 1, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING SCHEDULING  
FURTHER PROGRESS REPORT ON JUNE 1, 2005**

An informal telephone conference was conducted on March 15, 2005, in this matter. Participants included representatives of San Luis Obispo County Public Works Department (the County), Union Pacific Railroad Company (Union Pacific) and the Commission's Rail Safety and Carriers Division (Staff).

The County seeks authorization to install an at-grade pedestrian crossing of tracks of Union Pacific in the vicinity of 16<sup>th</sup> Street in San Miguel. The County states that the unguarded tracks are being crossed daily by 80 to 100 children and their parents to reach the Lillian Larsen Elementary School, and that the number will grow because of new housing development in the area. Union Pacific protests the application, arguing that other nearby crossings already exist and that, in any event, a grade-separated crossing over or under the tracks would be safer for pedestrians. Staff has urged the County to avoid a piecemeal approach to rail crossings and to consider a more comprehensive plan for this rapidly growing community.

While one diagnostic meeting among the parties took place in June 2004, the parties have not met formally since that time and communication among the parties has been sporadic. All parties agreed that further meetings are necessary and could lead to a negotiated resolution of this application. The County agreed to organize and sponsor such a meeting in San Miguel during the week of May 23, 2005, and the parties agreed to a further exchange of position papers prior to that time.

This ruling orders a second informal telephone conference among the parties to be conducted at 1:30 p.m., Wednesday, June 1, 2005. Unless the parties are able to report substantial progress in settling their differences in this matter, I will at that time schedule dates for a public participation hearing and an evidentiary hearing in San Miguel so that the application and a complete evidentiary record can then be presented to the Commission for decision.

**IT IS RULED** that an informal telephone conference will be conducted at 1:30 p.m., Wednesday, June 1, 2005, to discuss the status of this application and, if necessary, to set dates for hearing. The San Luis Obispo County Public Works Department will arrange the conference call and will provide written notice of the call to the undersigned Administrative Law Judge, the Union Pacific Railroad Company and the Commission's Rail Safety and Carriers Division.

Dated March 21, 2005, at San Francisco, California.

/s/ GLEN WALKER

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Glen Walker  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Scheduling Further Progress Report on June 1, 2005, on all parties of record in this proceeding or their attorneys of record.

Dated March 21, 2005, at San Francisco, California.

/s/ FANNIE SID  
Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.